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इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके ।
Separate paging is given to this Part in order that it may be filed as a separate compilation.

LOK SABHA

The following Bills were introduced in Lok Sabha on the 18th February, 1969.—

BILL No. 10 OF 1969

A *Bill further to amend the Customs Act, 1962.*

BE it enacted by Parliament in the Twentieth Year of the Republic of India as follows:—

Short title, extent and commencement.

1. (*1*) This Act may be called the Customs (Amendment) Act, 1969.

(*2*) It extends to the whole of India.

(*3*) It shall be deemed to have come into force on the 3rd day of January, 1969.

52 of 1962.

Insertion of new Chapters IVA, IVB and IVC.

2. After Chapter IV of the Customs Act, 1962 (hereinafter referred to as the principal Act), the following Chapters shall be inserted, namely:—

'CHAPTER IVA

DETECTION OF ILLEGALLY IMPORTED GOODS AND PREVENTION OF THE DISPOSAL THEREOF

Definitions.

11A. In this Chapter, unless the context otherwise requires,—

(*a*) "illegal import" means the import of any goods in contravention of the provisions of this Act or any other law for the time being in force;

(b) "intimated place" means a place intimated under sub-section (1), sub-section (2) or sub-section (3), as the case may be, of section 11C;

(c) "notified date", in relation to goods of any description, means the date on which the notification in relation to such goods is issued under section 11B;

(d) "notified goods" means goods specified in the notification issued under section 11B.

Power of Central Government to notify goods.

11B. If, having regard to the magnitude of the illegal import of goods of any class or description, the Central Government is satisfied that it is expedient in the public interest to take special measures for the purpose of checking the illegal import, circulation or disposal of such goods, or facilitating the detection of such goods, it may, by notification in the Official Gazette, specify goods of such class or description.

Persons possessing notified goods to intimate the place of storage, etc.

11C. (1) Every person who owns, possesses or controls, on the notified date, any notified goods, shall, within seven days from that date, deliver to the proper officer a statement (in such form, in such manner and containing such particulars as may be specified by rules made in this behalf) in relation to the notified goods owned, possessed or controlled by him and the place where such goods are kept or stored.

(2) Every person who acquires, after the notified date, any notified goods, shall, before making such acquisition, deliver to the proper officer an intimation containing the particulars of the place where such goods are proposed to be kept or stored after such acquisition and shall, immediately on such acquisition, deliver to the proper officer a statement (in such form, in such manner and containing such particulars as may be specified by rules made in this behalf) in relation to the notified goods acquired by him:

Provided that a person who has delivered a statement, whether under sub-section (1) or sub-section (2), in relation to any notified goods, owned, possessed, controlled or acquired by him, shall not be required to deliver any further statement in relation to any notified goods acquired by him, after the date of delivery of the said statement, so long as the notified goods so acquired are kept or stored at the intimated place.

(3) If any person intends to shift any notified goods to any place other than the intimated place, he shall, before taking out such goods from the intimated place, deliver to the proper officer an intimation containing the particulars of the place to which such goods are proposed to be shifted.

(4) No person shall, after the expiry of seven days from the notified date, keep or store any notified goods at any place other than the intimated place.

(5) Where any notified goods have been sold or transferred, such goods shall not be taken from one place to another unless they are accompanied by the voucher referred to in section 11F.

(6) No notified goods (other than those which have been sold or transferred) shall be taken from one place to another unless they are accompanied by a transport voucher (in such form and contain-

ing such particulars as may be specified by rules made in this behalf) prepared by the persons owning, possessing or controlling such goods.

Precautions to be taken by persons acquiring notified goods.

11D. No person shall acquire (except by gift or succession, from any other individual in India), after the notified date, any notified goods—

(*i*) unless such goods are accompanied by,—

(*a*) the voucher referred to in section 11F or the memorandum referred to in sub-section (*2*) of section 11G, as the case may be, or

(*b*) in the case of a person who has himself imported any goods, any evidence showing clearance of such goods by the Customs Authorities; and

(*ii*) unless he has taken, before acquiring such goods from a person other than a dealer having a fixed place of business, such reasonable steps as may be specified by rules made in this behalf, to ensure that the goods so acquired by him are not goods which have been illegally imported.

Persons possessing notified goods to maintain accounts.

11E. (*1*) Every person who, on or after the notified date, owns, possesses, controls or acquires any notified goods shall maintain (in such form and in such manner as may be specified by rules made in this behalf) a true and complete account of such goods and shall, as often as he acquires or parts with any notified goods, make an entry in the said account in relation to such acquisition or parting with, and shall also state therein the particulars of the person from whom such goods have been acquired or in whose favour such goods have been parted with, as the case may be, and such account shall be kept, along with the goods, at the place of storage of the notified goods to which such accounts relate:

Provided that it shall not be necessary to maintain separately accounts in the form and manner specified by rules made in this behalf in the case of a person who is already maintaining accounts which contain the particulars specified by the said rules.

(*2*) Every person who owns, possesses or controls any notified goods and who uses any such goods for the manufacture of any other goods, shall maintain (in such form, in such manner and containing such particulars as may be specified by rules made in this behalf) a true and complete account of the notified goods so used by him and shall keep such account at the intimated place.

Sale, etc., of notified goods to be evidenced by vouchers.

11F. On and from the notified date, no person shall sell or otherwise transfer any notified goods, unless every transaction in relation to the sale or transfer of such goods is evidenced by a voucher in such form and containing such particulars as may be specified by rules made in this behalf.

Sections 11C, 11E and 11F not to apply to goods in personal use.

11G. (*1*) Nothing in sections 11C, 11E and 11F shall apply to any notified goods which are—

(*a*) in personal use of the person by whom they are owned, possessed or controlled, or

(*b*) kept in the residential premises of a person for his personal use

(2) If any person, who is in possession of any notified goods referred to in sub-section (1), sells, or otherwise transfers for a valuable consideration, any such goods, he shall issue to the purchaser or transferee, as the case may be, a memorandum containing such particulars as may be specified by rules made in this behalf and no such goods shall be taken from one place to another unless they are accompanied by the said memorandum.

CHAPTER IVB

PREVENTION OR DETENTION OF ILLEGAL EXPORT OF GOODS

Definitions.

11H. In this Chapter, unless the context otherwise requires,—

(a) "illegal export" means the export of any goods in contravention of the provisions of this Act or any other law for the time being in force;

(b) "intimated place" means a place intimated under sub-section (1), sub-section (2) or sub-section (3), as the case may be, of section 11J;

(c) "specified area" includes the Indian customs waters, and such inland area, not exceeding fifty kilometres in width from any coast or other border of India, as the Central Government may, having regard to the vulnerability of that area to smuggling, by notification in the Official Gazette, specify in this behalf:

Provided that where a part of any village, town or city falls within a specified area, the whole of such village, town or city shall, notwithstanding that the whole of it is not within fifty kilometres from any coast or other border of India, be deemed to be included in such specified area;

(d) "specified date", in relation to specified goods, means the date on which any notification is issued under section 11-I in relation to those goods in any specified area;

(e) "specified goods" means goods of any description specified in the notification issued under section 11-I in relation to a specified area.

Power of Central Government to specify goods.

11I. If, having regard to the magnitude of the illegal export of goods of any class or description, the Central Government is satisfied that it is expedient in the public interest to take special measures for the purpose of checking the illegal export or facilitating the detection of goods which are likely to be illegally exported, it may, by notification in the Official Gazette, specify goods of such class or description.

Persons possessing specified goods to intimate the place of storage, etc.

11J. (1) Every person who owns, possesses or controls, on the specified date, any specified goods, the market price of which exceeds fifteen thousand rupees shall, within seven days from that date, deliver to the proper officer an intimation containing the particulars of the place where such goods are kept or stored within the specified area.

(2) Every person who acquires (within the specified area), after the specified date, any specified goods,—

(*i*) the market price of which, or

(*ii*) the market price of which together with the market price of any specified goods of the same class or description, if any, owned, possessed or controlled by him on the date of such acquisition,

exceeds fifteen thousand rupees shall, before making such acquisition, deliver to the proper officer an intimation containing the particulars of the place where such goods are proposed to be kept or stored after such acquisition:

Provided that a person who has delivered an intimation, whether under sub-section (*1*) or sub-section (*2*), in relation to any specified goods, owned, possessed, controlled or acquired by him, shall not be required to deliver any further intimation so long as the specified goods are kept or stored at the intimated place.

(*3*) If any person intends to shift any specified goods to which sub-section (*1*) or sub-section (*2*) applies, to any place other than the intimated place, he shall, before taking out such goods from the intimated place, deliver to the proper officer an intimation containing the particulars of the place to which such goods are proposed to be shifted.

(*4*) No person shall, after the expiry of seven days from the specified date, keep or store any specified goods to which sub-section (*1*) or sub-section (*2*) applies, at any place other than the intimated place.

Transport of specified goods to be covered by vouchers.

11K. (*1*) No specified goods shall be transported from, into or within any specified area or loaded on any animal or conveyance in such area, unless they are accompanied by a transport voucher (in such form and containing such particulars as may be specified by rules made in this behalf) prepared by the person owning, possessing, controlling or selling such goods:

Provided that no transport voucher shall be necessary for the transport, within a village, town or city, of any specified goods the market price of which, on the date of transport, does not exceed one thousand rupees.

(*2*) Notwithstanding anything contained in sub-section (*1*), where the Central Government, after considering the nature of any specified goods, the time, mode, route and the market price of the goods intended to be transported, the purpose of the transportation and the vulnerability of the specified area with regard to the illegal export of such goods, is satisfied that it is expedient in the public interest so to do, it may,—

(*i*) by notification in the Official Gazette, specify goods of such class or description and of a market price exceeding such sum as that Government may notify; and different sums in relation to the specified goods of the same class or description, or different classes or descriptions, may be notified for the same specified area or for different specified areas, and

(*ii*) direct that no person shall transport any goods so specified unless the transport voucher in relation to them has been countersigned by the proper officer.

Persons possessing specified goods to maintain accounts.

11L. (*1*) Every person who, on or after the specified date, owns, possesses or controls, within a specified area, any specified goods of a market price exceeding fifteen thousand rupees, shall maintain (in such form and in such manner as may be specified by rules made in this behalf) a true and complete account of such goods and shall, as often as he acquires or parts with any specified goods, make an entry in the said account in relation to such acquisition or parting with, and shall also state therein the particulars of the person from whom such goods have been acquired or in whose favour such goods have been parted with, as the case may be, and such account shall be kept, along with the goods, at the place of storage of the specified goods to which such accounts relate:

Provided that it shall not be necessary to maintain separately accounts in the form and manner specified by rules made in this behalf in the case of a person who is already maintaining accounts which contain the particulars specified by the said rules.

(*2*) Every person who owns, possesses or controls any specified goods to which the provisions of sub-section (*1*) apply, and who uses any such goods for the manufacture of any other goods, shall maintain (in such form, in such manner and containing such particulars as may be specified by rules made in this behalf) a true and complete account of the specified goods so used by him and shall keep such account at the intimated place.

(*3*) If at any time, on a verification made by a proper officer, it is found that any specified goods owned, possessed or controlled by a person are lesser in quantity than the stock of such goods as shown, at the time of such verification, in the accounts referred to in sub-section (*1*), read with the accounts referred to in sub-section (*2*), it shall be presumed, unless the contrary is proved, that such goods, to the extent that they are lesser than the stock shown in the said accounts, have been illegally exported and that the person owning, possessing or controlling such goods has been concerned with the illegal export thereof.

Steps to be taken by persons selling or transferring any specified goods.

11M. Except where he receives payment by cheque drawn by the purchaser, every person who sells or otherwise transfers within any specified area, any specified goods, shall obtain, on his copy of the sale or transfer voucher, the signature and full postal address of the person to whom such sale or transfer is made and shall also take such other reasonable steps as may be specified by rules made in this behalf to ensure that the purchaser or transferee, as the case may be, is not a fictitious person, and if he omits or fails to take such steps, it shall be presumed, unless the contrary is proved, that such goods have been illegally exported and the person who had sold or otherwise transferred such goods had been concerned in such illegal export:

Provided that nothing in this section shall apply to petty sales of any specified goods if the aggregate market price obtained by such

petty sales, made in the course of a day, does not exceed two thousand and five hundred rupees.

Explanation.—In this section "petty sale" means a sale at a price which does not exceed one thousand rupees.

CHAPTER IVC

POWER TO EXEMPT FROM THE PROVISIONS OF CHAPTERS IVA AND IVB

Power to exempt.

'11N. If the Central Government is satisfied that it is necessary in the public interest so to do, it may, by notification in the Official Gazette, exempt generally, either absolutely or subject to such conditions as may be specified in the notification, goods of any class or description from all or any of the provisions of Chapter IVA or Chapter IVB.'.

Insertion of new section 106A.

3. After section 106 of the principal Act, the following section shall be inserted, namely:—

Power to inspect.

"106A. Any proper officer authorised in this behalf by the Collector of Customs may, for the purpose of ascertaining whether or not the requirements of this Act have been complied with, at any reasonable time, enter any place intimated under Chapter IVA or Chapter IVB, as the case may be, and inspect the goods kept or stored therein and require any person found therein, who is for the time being in charge thereof, to produce to him for his inspection the accounts maintained under the said Chapter IVA or Chapter IVB, as the case may be, and to furnish to him such other information as he may reasonably require for the purpose of ascertaining whether or not such goods have been illegally imported, exported or are likely to be illegally exported.".

Amendment of section 111.

4. In section 111 of the principal Act, after clause (o), the following clause shall be inserted, namely:—

"(p) any notified goods in relation to which any provisions of Chapter IVA or of any rule made under this Act for carrying out the purposes of that Chapter have been contravened.".

Amendment of section 113.

5. In section 113 of the principal Act, after clause (*k*), the following clause shall be inserted, namely:—

"(*l*) any specified goods in relation to which any provisions of Chapter IVB or of any rule made under this Act for carrying out the purposes of that Chapter have been contravened.".

Amendment of section 159.

6. In section 159 of the principal Act, after the figures "11", the figures and letters, "11B, 11H, 11-I, 11K, 11N" shall be inserted.

1 of 1969.

Repeal and saving.

7. (*1*) The Customs (Amendment) Ordinance, 1969, is hereby repealed.

(*2*) Notwithstanding such repeal, anything done or any action taken under the principal Act, as amended by the said Ordinance, shall be deemed to have been done or taken under the corresponding provisions of the principal Act as amended by this Act.

STATEMENTS OF OBJECTS AND REASONS

The Bill is in replacement of the Customs (Amendment) Ordinance, 1969 issued on the 3rd January, 1969.

Because of large scale smuggling of silver out of the country and of various consumer articles into the country, it has become necessary to make additional provisions in the Customs Act, 1962 so that smuggled goods and attempts at smuggling can be effectively and expeditiously dealt with. The object of the provisions of the Bill is to prevent smuggling by facilitating the detection and confiscation of goods smuggled into the country and goods sought to be smuggled out of the country. The Notes on clauses explain the various provisions contained in the Bill.

NEW DELHI;
The 7th February, 1969.

MORARJI R. DESAI.

PRESIDENT'S RECOMMENDATION UNDER ARTICLE 117 OF THE CONSTITUTION OF INDIA

(Copy of letter No. 2|5|68-Cus. VI, dated the 10th February, 1969 from Shri Morarji Desai, Deputy Prime Minister and Minister of Finance to the Secretary, Lok Sabha.)

The President having been informed of the subject matter of the Customs (Amendment) Bill, 1969, namely, to amend the Customs Act, 1962, so as to provide for confiscation of goods smuggled or attempted to be smuggled and to empower the Central Government to take steps for exercising better control over goods being illegally imported and those likely to be illegally exported, has recommended, under clauses (1) and (3) of article 117 of the Constitution, the said Bill for introduction in and consideration by the Lok Sabha.

Notes on clauses

Clause 1 provides for retrospective effect from the date of promulgation of the Ordinance so that action already taken under the Ordinance is not required to be taken again.

Clause 2 seeks to introduce new sections 11A to 11N:—

Section 11A defines the various expressions used in Chapter IVA.

Section 11B empowers the Central Government to notify goods to which these provisions will apply when it is satisfied that the magnitude of smuggling in such goods is such that it is expedient to take special measures.

Section 11C provides that all persons possessing notified goods on the notified date will have to deliver a statement within seven days to the proper officer of customs indicating the place of storage and such particulars of the goods as may be specified under the Rules. Those who acquire such goods afterwards for the first time will also have to furnish similar information, the intimation in respect of the place of storage being delivered to the customs officer in advance and the particulars of the goods being furnished immediately on acquisition. The section also provides that transport of goods from one place to another shall be either under cover of a voucher referred to in section 11F or by a transport voucher.

Section 11D provides that no person shall acquire, except by gift or succession, any notified goods unless they are accompanied by a sale voucher or evidence of clearance through the customs. Further, where the purchase is made from a person not having a fixed place of business the purchaser is also required to take such reasonable steps as may be specified by rules to ensure that the goods acquired by him are not smuggled goods.

Section 11E provides that all persons possessing notified goods will have to maintain accounts in the prescribed form and such accounts shall be kept along with the goods.

Section 11F provides that sale, transfer, etc., of notified goods shall be evidenced by a voucher.

Section 11G provides that the regulatory provisions contained in Section 11C, 11E and 11F will not apply to goods in personal use or goods kept in residential premises of a person for his personal use. But if such goods are sold a sale memo shall be issued.

Section 11H defines the various expressions used in Chapter IVB. The regulatory provisions are to apply within the specified area which will not exceed 50 kilometres in width from the coast or land border of India.

Section 11-I empowers the Central Government to specify goods to which the regulatory provisions will apply on being satisfied that the magnitude of smuggling out of such goods is such that it is expedient to take special measures.

Section 11J provides that persons possessing specified goods of a market price exceeding Rs. 15,000 will have to intimate the particulars of the place of storage to the proper officer of customs and those who acquire goods of such market price afterwards will have to intimate the place of storage in advance.

Section 11K provides that whenever any specified goods are transported from, into and within any specified area they shall be accompanied by a transport voucher prepared by the person selling the goods or possessing the goods. In order to avoid hardship, transport of goods of a market price not exceeding Rs. 1,000 has been exempted. The section also empowers the Central Government to specify that in certain circumstances transport vouchers concerning goods of a market price exceeding a specified sum shall have to be countersigned by the proper officer of customs. The intention is that where the time, place, mode, etc. of transport is suspicious the officer of customs should know beforehand about such transport.

Section 11L requires that any person possessing goods of a market price exceeding Rs. 15,000 shall maintain accounts in the prescribed form. The exemption limit has been set high enough to avoid any inconvenience to middle class or petty traders. The section also provides that where the stock of goods is less than the balance shown in the books the shortfall shall be presumed to have been smuggled out unless the contrary is proved.

Section 11M provides that except where the seller receives payment by cheque drawn by the purchaser he will take such reasonable steps as may be specified in the rules to ensure that the purchaser is not a fictitious person and if he fails to take such steps it shall be presumed that the goods have been smuggled out. The intention is that a person should not be able to account for the goods that he has smuggled by showing sales to fictitious persons and it should be difficult to make purchases for smuggling. In order that no inconvenience is caused, petty sales the aggregate market price of which in a day does not exceed Rs. 2,500 have been exempted from its provision.

Section 11N empowers the Central Government to exempt goods of any specified description from the provisions of Chapter IVA or Chapter IVB. The intention is that should the application of these provisions cause any inconvenience necessary exemption may be issued.

Clause 3 empowers the proper officer of customs to inspect the storage premises where notified or specified goods are kept and to check the accounts.

Clause 4 provides that any notified goods in relation to which any provisions of Chapter IVA or of any rules have been contravened, shall be liable to confiscation.

Clause 5 provides that any specified goods in relation to which any provisions of Chapter IVB or of any rules have been contravened, shall be liable to confiscation.

Clause 6 provides that Notifications issued under sections 11B, 11-I, 11K and 11N shall be placed before Parliament. Provision already exists under section 159 that all rules made shall be placed before Parliament.

Clause 7 provides for validation of all actions taken under the Customs (Amendment) Ordinance, 1969.

FINANCIAL MEMORANDUM

The purpose of the Bill is to make additional provisions in the Customs Act, 1962, with a view to preventing the smuggling of goods by facilitating the detection and confiscation of smuggled goods into the country and goods sought to be smuggled out of the country. The provisions made in the Bill include, under certain circumstances, the furnishing of intimations and statements with regard to places of storage, issue of vouchers relating to sale and transport, maintenance of accounts by persons possessing notified goods or specified goods etc. Although there is no particular clause in the Bill which would involve expenditure from the Consolidated Fund of India, enforcement of the provisions of the Bill, as a whole, would involve extra work on the part of officers of customs who are already employed for the prevention of illegal import and export of goods in general. It will, therefore, be necessary to strengthen the existing staff in the various customs formations. It is estimated that an extra expenditure of—

(a) Rs. 70,000 for the remaining part of the current financial year, and

(b) Rs. 8,00,000 for a full year, may have to be incurred for the enforcement of the provisions of the Bill.

The Bill would not involve any non-recurring expenditure.

MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 2 of the Bill seeks to insert three new Chapters, namely Chapters IVA, IVB and IVC (containing sections 11A to 11G, 11H to 11M, and 11N, respectively) in the Customs Act, 1962.

2. Proposed section 11B seeks to empower the Central Government to notify goods of any class or description in relation to which the provisions of Chapter IVA should be complied with.

3. Proposed section 11H seeks to empower the Central Government to specify—

(*a*) export goods in relation to which the provisions of Chapter IVB should be complied with, and

(*b*) a belt within which the possession, sale, transfer or transport of any specified export goods would be regulated by the provisions of Chapter IVB.

4. Proposed section 11K seeks to empower the Central Government to specify export goods of any class or description which shall not be transported from, into or within the specified area unless they are accompanied by a transport voucher countersigned by the proper officer.

5. Proposed section 11N empowers the Central Government to exempt goods of any class or description from all or any of the provisions of Chapter IVA or Chapter IVB.

6. Proposed sections 11C, 11E, 11F, 11G, 11J, 11K and 11L seek to empower the Central Government to specify, by rules made in this behalf, the form and manner in which,—

(*a*) the statement containing the particulars of the place of storage of notified or specified goods, as the case may be, shall be prepared;

(*b*) accounts shall be maintained by a person owning, possessing or controlling any notified or specified goods, as the case may be;

(*c*) the voucher showing the sale, transfer, delivery or other disposal of any notified goods (which are not in personal use) shall be prepared;

(*d*) the memorandum showing the sale of notified goods which are in personal use or are kept in any residential premises for personal use, shall be prepared;

(*e*) the transit or transport voucher, as the case may be, in relation to specified goods shall be maintained.

7. Proposed sections 11D and 11M seek to empower the Central Government to specify reasonable steps which should be taken by a person

who acquires any notified or specified goods, as the case may be, to ensure that they are not illegally imported goods or are not intended to be illegally exported.

8. The Matters in respect of which notifications or rules can be made by the Central Government are matters of procedure and detail and it is hardly possible to provide for them in the Act itself. The delegation of the legislative power is, therefore, of a normal character.

BILL No. 9 OF 1969

A Bill further to amend the Delhi Motor Vehicles Taxation Act, 1962.

BE it enacted by Parliament in the Twentieth Year of the Republic of India as follows:—

Short title and commencement.

1. (*1*) This Act may be called the Delhi Motor Vehicles Taxation (Amendment) Act, 1969.

(*2*) It shall come into force on the 1st day of April, 1969.

Amendment of section 4.

57 of 1962.

2. In the Delhi Motor Vehicles Taxation Act, 1962 (hereinafter referred to as the principal Act), in section 4, in sub-section (*2*), for clause (c) and the proviso thereto, the following clause shall be substituted, namely:—

"(c) for any period less than a quarter expiring on the last day of the quarter, at one-twelfth of the annual rate for each complete month or part thereof included in such period.".

Substitution of new Schedule for Schedule I.

3 For Schedule I to the principle Act, the following Schedule shall be substituted, namely:—

"SCHEDULE I

(*See* section 3)

Description of motor vehicles	*Annual rate of tax for each motor vehicle*
	Rupees
PART A.—Motor vehicles fitted solely with pneumatic tyres—	
I. Motor cycles and tricycles (including motor scooters and cycles with attachment for propelling the same by mechanised power)—	
(*a*) motor cycles, scooters (flat rate) .	Forty.
(*b*) scooterettes and auto cycles (flat rate)	Twenty.
(*c*) tricycles (flat rate) . . .	Fifty
(*d*) motor cycles or tricycles used for drawing a trailer or side car .	The rate specified in (*a*) or (*b*) or (*c*) above *plus* fifteen rupees.
II. Motor vehicles (adapted and used for invalids) the registered unladen weight of which does not exceed two hundred and fifty kilograms	Ten.
III. Motor vehicles (including tricycles) used for the transport or haulage of goods or materials, the registered laden weight of which—	
(*a*) does not exceed one tonne .	One hundred and seventy-five.
(*b*) exceeds one tonne but does not exceed two tonnes . . .	Two hundred and fifty.
(*c*) exceeds two tonnes but does not exceed four tonnes . . .	Three hundred and seventy-five
(*d*) exceeds four tonnes but does not exceed six tonnes . . .	Five hundred.
(*e*) exceeds six tonnes but does not exceed eight tonnes . . .	Six hundred and twenty-five

Description of motor vehicles	*Annual rate of tax for each motor vehicle*
	Rupees
(*f*) exceeds eight tonnes but does not exceed nine tonnes . . .	Seven hundred and fifty.
(*g*) exceeds nine tonnes but does not exceed ten tonnes	Eight hundred and seventy-five.
(*h*) exceeds ten tonnes	The rate specified in (*g*) above *plus* one hundred and twenty-five rupees for every one tonne or part thereof in addition to ten tonnes.
IV. Additional tax payable in respect of vehicles referred to in Item III, used for drawing trailers—	
(*a*) for each trailer the registered laden weight of which does not exceed two tonnes	One hundred and twenty-five.
(*b*) for each trailer the registered laden weight of which exceeds two tonnes :	Two hundred and fifty.
Provided that two or more vehicles shall not be chargeable under this Item in respect of the same trailer.	
V. Motor vehicles (including tricycles) plying for hire and used for the transport of passengers, when—	
(*a*) licensed to carry, in all, not more than two passengers (excluding driver) .	One hundred.
(*b*) licensed to carry, in all, more than two but not more than four passengers (excluding driver and conductor) .	Two hundred.
(*c*) licensed to carry, in all, more than four passengers but not more than six passengers (excluding driver and conductor)	Three hundred and seventy-five.
(*d*) licensed to carry, in all, more than six passengers but not more than eighteen passengers (excluding driver and conductor) . . .	Five hundred.
(*e*) licensed to carry more than eighteen passengers (excluding driver and conductor)	The rate specified in (*d*) above *plus* seventy five rupees for every passenger in addition to eighteen passengers which the vehicle is so licensed to carry subject to a maximum of two thousand seven hundred and fifty rupees per annum.

Description of motor vehicles	*Annual rate of tax for each motor vehicle*
	Rupees
VI. Motor vehicles owned by Airline Companies or Corporations for carrying passengers and staff—	
(*a*) the seating capacity of which does not exceed four (excluding driver) .	Two hundred.
(*b*) the seating capacity of which exceeds four but does not exceed six (excluding driver) . . .	Three hundred and seventy-five.
(*c*) the seating capacity of which exceeds six but does not exceed eighteen (excluding driver) .	Five hundred.
(*d*) the seating capacity of which exceeds eighteen	The rate specified in (*c*) above *plus* seventy-five rupees for every person in addition to eighteen persons subject to a maximum of two thousand seven hundred and fifty rupees per annum.
VII. Break-down vans used for towing disabled vehicles	Two hundred and fifty.
VIII. Motor vehicles other than those liable to tax under the foregoing provisions of this Schedule, the registered unladen weight of which—	
(*a*) does not exceed one thousand kilograms	One hundred.
(*b*) exceeds one thousand kilograms but does not exceed one thousand and five hundred kilograms . . .	One hundred and twenty-five.
(*c*) exceeds one thousand and five hundred kilograms but does not exceed two thousand kilograms .	One hundred and seventy-five.
(*d*) exceeds two thousand kilograms .	The rate specified in (*c*) above *plus* one hundred and twenty-five rupees for every one thousand kilograms or part thereof in addition to two thousand kilograms.

Description of motor vehicles	*Annual rate of tax for each motor vehicle*
	Rupees
IX. Additional tax payable in respect of vehicles referred to in Item VIII, if such vehicles are used for drawing trailers—	
(*i*) for each trailer the registered unladen weight of which does not exceed one tonne	Fifty.
(*ii*) for each trailer the registered unladen weight of which exceeds one tonne :	One hundred.
Provided that two or more vehicles shall not be chargeable under this Item in respect of the same trailer.	
PART B.—Motor vehicles other than those fitted solely with pneumatic tyres	The rates shown in Part A *plus* fifty per cent. thereof.

NOTE.—The registlred unladen weight of a motor vehicle shall be as specified in the certificate of registration.".

STATEMENT OF OBJECTS AND REASONS

Under section 3 of the Delhi Motor Vehicles Taxation Act, 1962 (57 of 1962), there shall be levied and collected on all motor vehicles used or kept for use in the Union territory of Delhi a tax at the rates specified in Schedule I to that Act. The existing rates of motor vehicle tax are comparatively lower than those in some States. The expenditure on maintenance of roads and bridges in the Union territory has been increasing day by day. It is, therefore, proposed to increase the existing rates of tax on all types of motor vehicles in the Union territory by twenty-five per cent. The principal beneficiaries of the increase will be the local bodies to whom the proceeds of the tax are distributable under section 20 of the said Act. The proceeds of the additional tax will be earmarked for expenditure on roads and bridges besides the provision now being made for the purpose.

2. It is also proposed to withdraw the concession contained in Note I of the existing Schedule I which allows ten per cent. rebate in cases where tax is paid in advance for the entire year since such concession does not exist in most of the States and other Union territories.

3. New Schedule I substituted by clause 3 of the Bill gives effect to the proposals.

4. As the mode of payment of tax is either annual or quarterly, clause (c) of sub-section (2) of section 4 which permits the payment of tax once in two months or monthly is not considered essential. It is proposed to substitute this clause by a new clause to enable payment of tax in respect of a motor vehicle used or kept for use for any period less than a quarter at the rate of one-twelfth of the annual rate for each complete month or part thereof during which such vehicle is used or kept for use.

V. K. R. V. RAO.

PRESIDENT'S RECOMMENDATION UNDER ARTICLE 117 OF THE CONSTITUTION OF INDIA

[Copy of letter No. 21-T(34)/68, dated the 27th January, 1969 from Prof. V. K. R. V. Rao, Minister of Transport and Shipping to the Secretary, Lok Sabha.]

The President, having been informed of the subject matter of the Bill to amend the Delhi Motor Vehicles Taxation Act, 1962, has recommended, under article 117(1) of the Constitution of India, the introduction of the said Bill in the Lok Sabha.

S. L. SHAKDHER,
Secretary.

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